

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

NAACP LEGAL DEFENSE AND
EDUCATIONAL FUND, INC.,

Plaintiff,

v.

Civil Action No. 07-3378 (GEL)

UNITED STATES DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT,

Defendant.

NOTICE OF MOTION

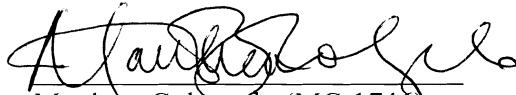
Please take notice that Plaintiff NAACP Legal Defense & Educational Fund, Inc. (LDF), by its undersigned counsel, will move this Court, on a date and time to be designated by the Court, for partial summary judgment on its prayer that Defendant be ordered to produce records pursuant to the Freedom of Information Act, 5 U.S.C. § 552.

This motion is predicated on Rule 56 of the Federal Rules of Civil Procedure, and is supported by the accompanying Memorandum of Law; Plaintiff's Rule 56.1 Statement of Undisputed Facts; the Declaration of Matthew Colangelo (dated July 26, 2007) and the exhibits attached thereto; and the record in this action.

Dated: July 26, 2007
New York, NY

Respectfully submitted,

Theodore M. Shaw, Director-Counsel



Matthew Colangelo (MC-1746)

Robert H. Stroup

Damon Hewitt

NAACP LEGAL DEFENSE AND
EDUCATIONAL FUND, INC.

99 Hudson Street, 16th Floor

New York, New York 10013

(212) 965-2200

Lawrence S. Lustberg (LL-1644)

Melanca D. Clark (MC-0908)

GIBBONS, P.C.

One Gateway Center

Newark, New Jersey 07102-5310

(973) 596-4500

Attorneys for Plaintiff